

Town Board Minutes

**Meeting
No. 2**

Regular Meeting

January 18, 1994

MEETINGS TO DATE 2
NO. OF REGULARS 2
NO. OF SPECIALS 0

LANCASTER, NEW YORK
JANUARY 18, 1994

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 18th of January 1994 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCIL MEMBER
DONALD E. KWAK, COUNCIL MEMBER
PATRICK C. POKORSKI, COUNCIL MEMBER
THOMAS H. VAN NORTWICK, COUNCIL MEMBER
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
JOSEPH F. REINA, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE
JOHANNA M. COLEMAN, RECEIVER OF TAXES

EXECUTIVE SESSION:

At 8:30 P.M. the Town Board went into executive session for the announced purpose for consulting with the Town Attorney on a personnel matter.

At 8:45 P.M. the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in executive session.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA, TO WIT:

RESOLVED, that the minutes from the Organizational and Regular
Meeting of the Town Board held on January 3, 1994 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, APPLE RUBBER PRODUCTS has transmitted a site plan for an addition to an existing building located on the west side of Cemetery Road, south of Walden Avenue and locally known as 210 Cemetery Road, in the Town of Lancaster, as prepared by Nussbaumer & Clarke, Inc., dated December, 1993, and

WHEREAS, the Town Board has caused a review of the aforementioned site plan, and

WHEREAS, the Planning Board of the Town of Lancaster has approved the site plan, and

WHEREAS, the Town Engineer has reviewed said site plan and by memo dated January 10, 1994, has determined the project to be a Type II Action for SEQR purposes, and no further SEQR action will be required;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by APPLE RUBBER PRODUCTS for an addition to an existing building located on the West side of Cemetery Road, south of Walden Avenue in the Town of Lancaster, New York, as prepared by Nussbaumer & Clarke and dated December, 1993.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File:R.Aprv.Site.Apple Rubber

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GRECO , TO WIT:

WHEREAS, a public hearing was held on the 20th day of December, 1993, on the Petition of Dr. Melinda Burgwardt, the owner of a parcel of land locally known as 5915 Broadway, Lancaster, New York, for the purpose of rezoning the property from an RCO-Residential/Commercial/Office District to a GB-General Business District for the purpose of operating a Veterinary Clinic, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an RCO-Residential/Commercial/Office District to a GB-General Business District:

5915 Broadway
Town of Lancaster
County of Erie, New York
Part of Lot 11, Township 11, Range 6, Section 4
SBL No. 116.00-2-28 and 29

The purpose of the following legal description is to describe the local premises of 5915 Broadway, Lancaster, New York:

BEGINNING of point in centerline of Broadway 652.37 feet east of intersection of centerline of Broadway and centerline of Cemetery Road;

THENCE southerly a distance 300 feet;

THENCE easterly an parallel to Broadway a distance 192 feet;

THENCE northerly a distance 300 feet to centerline of Broadway;

THENCE westerly a distance of 192 feet along centerline of Broadway;

2. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 18th day of January, 1994;

3. That a certified copy thereof be published in the Lancaster Bee on or before the 20th day of January, 1994

4. That Affidavits of Publication be filed with the Town Clerk;
and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

LEGAL NOTICE

NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RCO-Residential/Commercial/Office District to a GB-General Business District:

5915 Broadway
Town of Lancaster
County of Erie, New York
Part of Lot 11, Township 11, Range 6, Section 4
SBL No. 116.00-2-28 and 29

The purpose of the following legal description is to describe the local premises of 5915 Broadway, Lancaster, New York:

BEGINNING of point in centerline of Broadway 652.37 feet east of intersection of centerline of Broadway and centerline of Cemetery Road;

THENCE southerly a distance 300 feet;

THENCE easterly and parallel to Broadway a distance of 192 feet;

THENCE northerly a distance of 300 feet to centerline of Broadway;

THENCE westerly a distance of 192 feet along the centerline of Broadway.

January 18, 1994

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY, that I, ROBERT P. THILL, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of NOTICE OF AMENDMENT TO ZONING MAP with the original thereof filed in my office at Lancaster, New York, on the 18th day of January, 1994, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 18th day of January, 1994

Town Clerk

R. Aprv. Rezone. Brgwrtd.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

WHEREAS, the Town of Lancaster has heretofore provided ambulance service to that portion of the Village of Depew not within the Town of Lancaster, pursuant to an Agreement which expires, according to its terms, on December 31, 1993, and

WHEREAS, the Town Board of the Town of Lancaster has determined that it will serve a public purpose to provide for ambulance service through the Lancaster Volunteer Ambulance Corps, Inc., to that portion of the Village of Depew outside of the Town of Lancaster under the terms of a Municipal Cooperative Agreement as authorized by Article 5-G of the General Municipal Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into a Municipal Cooperative Agreement with the Village of Depew to provide ambulance service through the Lancaster Volunteer Ambulance Corps, Inc., to that portion of the Village of Depew outside of the Town of Lancaster upon the terms and conditions as set forth in said Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, the Lancaster New York Historical Society has leased the
Fanny Potter Eaton Home for use as the Town of Lancaster Historical Museum,
and

WHEREAS, the said Historical Society has requested that the Town
waive the rental payments due in 1994 in light of capital contributions by the
Historical Society, and

WHEREAS, it is the intention of the Town Board of the Town of
Lancaster, on behalf of the Town of Lancaster, to jointly maintain said
historical edifice for public use with the Historical Society;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby waives
the 1994 rent due the Town of Lancaster under the terms of the Lease Agreement
dated December 4, 1991, between the Town of Lancaster and the Lancaster New
York Historical Society, for the leasing of the Fanny Potter Eaton Home on
Clark Street in the Village of Lancaster.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.Lease.Hist.Museum

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, the State of New York provides financial aid for local resource reuse and recovery programs, and

WHEREAS, the Town of Lancaster has examined and duly considered the applicable laws of the State of New York and the Town of Lancaster deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the TOWN OF LANCASTER be executed for such STATE aid;

NOW, THEREFORE, BE IT

RESOLVED, by the Lancaster Town Board, as follows:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;

2. That LUCIAN J. GRECO, Supervisor of the Town of Lancaster, is hereby directed and authorized as the official representative of the Town of Lancaster to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the Town of Lancaster agrees it will fund its portion of the cost of said Project.

4. That the Town of Lancaster set forth its respective responsibilities by attached joint resolution relative to a joint project;

5. That five (5) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York 12233-4015, together with a complete application.

6. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER VAN NORTWICK, WHO
MOVED ITS ADOPTION, SECONDED BY
SUPERVISOR GRECO, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letters dated December 21, 1993 and January 11, 1994, has requested the addition of one member to the active roster of said fire association, and the deletion of one member from the active roster of said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to and the deletion from the membership of the Twin District Volunteer Fire Company, Inc. of the following individuals:

ADDITIONS

Kenneth Pezdek
4905 William Street
Lancaster, New York 14086

DELETIONS

Scott A. Parker
84 Southpoint Drive
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.FIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, it is in the public interest to hold a public hearing to allow for general discussion of the low and moderate income needs, especially housing and urgent community needs and to discuss proposals to meet those needs;

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing to provide an opportunity for citizens to express community development and housing needs, and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of February, 1994, at 8:10 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, the Official Newspaper, and be posted on the Town Bulletin Board, January 27, 1994, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE TO THE CITIZENS
OF THE
TOWN OF LANCASTER

A Public Hearing will be held on the 7th day of February, 1994, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, regarding the use of Federal Community Development Funds in the Town of Lancaster.

The Town of Lancaster is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Public Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of projects to be funded by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities.

The meeting room is wheelchair accessible. Those needing special arrangement should call the Lancaster Town Hall at 716-683-1610 by February 2, 1994.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: LUCIAN J. GRECO
Supervisor

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has been notified that funding is available through the New York State Department of Environmental Conservation, National Small Business Tree Planting Program for the purchase and planting of trees, and

WHEREAS, the Town of Lancaster is requesting to ^{amended 2/7/94} ~~\$15,000~~ with ^{10,000} \$15,000 to be provided by the town in cash and in-kind services and goods.

WHEREAS, the Town Board deems it in the public interest to apply for such funding;

NOW, THEREFORE, BE IT

RESOLVED, that Lucian J. Greco, Supervisor of the Town of Lancaster, be and is hereby authorized to apply to the New York State Department of Environmental Conservation, National Small Business Tree Planting Program for the purchase and planting of trees, with ^{10,000} \$15,000 to be provided by the Town in cash and in-kind services and goods.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GIZA, TO WIT:

WHEREAS, the Town of Lancaster, maintains a variety of records in the course of its normal business as well as records of particular historical value, and

WHEREAS, the Town Clerk as Records Management Officer (RMO) wishes to improve the storage, access, and disposition of the Town's records, and

WHEREAS, the State of New York passed the Local Government Records Management Improvement Fund Act (Chapter 78, Laws of 1989) which established a special fund that sustains a program of grants-in-aid to local governments for individual and cooperative programs to improve management of their records, including archival records, and

WHEREAS, the Town Clerk as Records Management Officer (RMO) has prepared, with the Town Grant Writer, a grant-in-aid application to the New York State Education Department, State Archives and Records Administration, for conversion and utilization of the dead space area beneath the rear stairwell on the first floor of the Town Hall as a Town Hall annex record vault, and

WHEREAS, the utilization of this dead space area will produce a clean, painted, and well lighted record access vault capable of storing 216 cubic feet of records, and

WHEREAS, the grant-in-aid application makes further provision for upgrading the shelving within the Lancaster Town Center Police and Court record vaults,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the necessary documents to apply for such funding to the New York State Education Department, State Archives and Records Administration.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.GRANT

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI , WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GRECO , TO WIT:

WHEREAS, the Town Highway Superintendent has advised that he has been trying to gain access across the rear yards of property located at 182 Schwartz Road and 200 Schwartz Road in the Town of Lancaster, and

WHEREAS, such access is needed in order to continue ditching to help prevent flooding, including the flooding of public thoroughfares, and

WHEREAS, Section 147, Highway Law, provides that the Highway Superintendent is authorized to enter upon said property for said purposed work when authorized by the Town Board and directed to do so by the Erie County Highway Superintendent;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Highway Superintendent is hereby authorized to enter upon property located at 182 Schwartz Road and 200 Schwartz Road in the Town of Lancaster for the purpose of continuing ditching to help prevent flooding, including the flooding of public thoroughfares when so directed by the Erie County Highway Superintendent.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to amend Chapter 13, of the Code of the Town of Lancaster, entitled, "Dogs", by the adoption of a new Section 13-10 entitled, "Removal of Canine Wastes", and the renumbering of the present Sections 13-10 and 13-11 to Sections 13-11 and 13-12 respectively;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to Chapter 13, of the Code of the Town of Lancaster, entitled, "Dogs", and the renumbering of the present Sections 13-10 and 13-11 to Sections 13-11 and 13-12 respectively, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of February, 1994 at 8:00 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published on January 27, 1994, in the Lancaster Bee, the Official Newspaper of such Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R. Amd.Dog.Ord.13.10

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 17th day of January, 1994, the said Town Board will hold a public hearing on the 7th day of February, 1994 at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following amendment to Chapter 13-Dogs of the Code of the Town of Lancaster, Erie County, New York:

CHAPTER 13 - DOGS, shall be amended by the adoption of a new section 13-10, to read as follows:

13-10. Removal of canine wastes.

- A. It shall be the duty of each dog owner or person having possession, custody or control of a dog to remove any feces left by his or her dog on any sidewalk, gutter, street or other public area.
- B. It shall further be the duty of each dog owner or person having possession, custody or control of a dog to remove any feces left by his or her dog on any other private property.
- C. No such feces shall be disposed of by deposit in the Town's weekly waste collection, nor shall such feces be disposed of anywhere except in a sanitary sewer system.
- D. Any violation of this section shall constitute a violation punishable by a fine or a civil penalty of not less than Twenty-five Dollars, nor more than One Hundred Dollars (\$100.).
- E. The provisions of this section shall be enforced by the Dog Control Officer of the Town of Lancaster.
- F. The provisions of this section shall not apply to a guide dog, hearing dog or service dog accompanying any person with a disability.
- G. It shall be an affirmative defense in any prosecution for a violation of Section 13-10 (B), that the owner of or person in possession of the private property refuses to allow the dog owner or person having possession, custody or control of a dog to enter upon such property for the purpose of removing any feces left by his or her dog thereon.

The present Sections 13-10 and 13-11 shall be renumbered 13-11 and 13-12 respectively.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA , TO WIT:

WHEREAS, DONALD GALLO, Consulting Engineer, P.C., has submitted a written proposal to provide engineering services for the continued development of Walden Pond Park (Phase 2-C), dated January 12, 1994 , and

WHEREAS, said written proposal is on file n the Town Clerk's Office,
and

WHEREAS, the Town Board deems it in the best interest of the Town to retain a consulting engineer for this project,

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. DONALD GALLO, Consulting Engineer, P.C. is hereby retained by the Town of Lancaster for the purpose of providing engineering services for the continued development of Walden Pond Park (Phase 2-C), upon the terms and conditions set forth in said written proposal dated January 12, 1994, upon the terms and conditions set forth in said written proposal dated January 12, 1994, which terms and conditions are incorporated herein by reference, and

2. The Supervisor is hereby authorized to execute said written proposal on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

Seconded 4/11/94

File: R.Retain.Engr.Wldn.Pnd.Ph.2.C.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore advertised for bids for the installation of sidewalks on Como Park Boulevard and Penora Street in the Town of Lancaster, and

WHEREAS, one bid was received and opened on December 16, 1993, and

WHEREAS, the Town Engineer has reviewed the bid received, and by letter dated January 13, 1994, has recommended that same be rejected due to the fact that the amount of bid exceeded the estimated cost, and further recommends that the project be re-bid so that we can obtain additional competitive bids, and

WHEREAS, the Town Board is desirous that this project should be re-bid so that more competitive bids will be received;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the bid of Balducci Construction Co., Inc., 831 Maryvale Drive, Cheektowaga, New York, in the amount of \$37,630.00 for the installation of sidewalks on Como Park Boulevard and Penora Street, be and the same is hereby rejected;

2. That Bids will be received by the Supervisor of the Town of Lancaster or his designated representative on the 3rd day of February, 1994, at 10:00 o'clock A.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of installing sidewalks on Como Park Boulevard and Penora Street in the Town of Lancaster, in accordance with plans and specifications on file in the Town Clerk's Office, and

3. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee, the official Newspaper of the Town of Lancaster, and post notices thereof as required by Town Law of the State of New York, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

NOTICE TO BIDDERS
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, and read aloud by the Supervisor of the Town of Lancaster or his designated representative on the 3rd day of February, 1994, at 10:00 o'clock A.M., Local Time, in the Town Hall, 21 Central Avenue, Lancaster, New York, for the installation of sidewalks on Como Park Boulevard and Penora Street in the Town of Lancaster.

All the proposals will be received in accordance with the Contract Documents and specifications prepared by the Town of Lancaster. A copy of such plans and specifications is on file with the Town Clerk at his office in the Town Hall, Town of Lancaster, 21 Central Avenue, Lancaster, New York, where the same may be examined further during their usual business hours.

Copies of the contract documents required for review or bidding purposes may be obtained at the office of the Town Clerk of the Town of Lancaster, Town Hall, 21 Central Avenue, Lancaster, New York, upon deposit of \$25.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town of Lancaster, and who also returns the documents in good condition to the Town Clerk within thirty (30) days after bid security has been returned to him. Equipment manufacturers, contractors, subcontractors, and others who do not submit formal proposals to the Town will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the Town Clerk within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30) day period.

Each proposal must be accompanied by a Certified Check, payable to the Town of Lancaster, or bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount not less than ten percent (10%) of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute any such further security as may be required for the faithful performance of the Contract.

The Town of Lancaster reserves the right to waive any informalities in and to reject any or all bids submitted.

Attention of the bidders is called to requirements for conditions of employment to be observed and minimum wage rates to be paid.

A Non-Collusive Bidding Certificate must accompany all bids.

No Bidder may withdraw his bid within thirty (30) days after date of opening.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, Children's Kastle Child Care Center has transmitted a site plan for the construction of a day care center on property located on the northeast corner of Walden Avenue and Stone Hedge Drive in the Town of Lancaster, as prepared by Carmina Silvestri, Architects, dated December 21, 1993, and

WHEREAS, the Town Board has caused a review of the aforementioned site plan, and

WHEREAS, the Planning Board of the Town of Lancaster has approved the site plan, and

WHEREAS, the Town Engineer has reviewed said site plan and by memo dated January 10, 1994, has determined the project to be a Type II Action for SEQR purposes, and no further SEQR action will be required;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Children's Kastle Child Care Center for the construction of a day care center on property located on the northeast corner of Walden Avenue and Stone Hedge Drive in the Town of Lancaster, New York, as prepared by Carmina Silvestri, Architects, dated December 21, 1993.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.Aprv.Site.Plan.Chldrns.Kastle.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
POKORSKI , TO WIT:

WHEREAS, James D. DiLapo, Jr., 166 Rumsey Road, Buffalo, New York 14209 has requested the Town Board of the Town of Lancaster to accept work completed under Street Lighting Public Improvement Permits within Forestream Subdivision, Phases I, II, and III within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement within Forestream Subdivision, Phases I, II and III be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 163 - Street Lights - Forestream Subdivision, Phase I
P.I.P. No. 223 - Street Lights - Forestream Subdivision, Phase II
P.I.P. No. 239 - Street Lights - Forestream Subdivision, Phase III

conditioned, however, upon the following:

1. Receipt by the Town Clerk, within 45 days, of a bill of sale to improvements for the property conveyed to the Town of Lancaster.
2. Receipt by the Town Clerk, within 45 days, of a maintenance bond for the improvement accepted herein in the principal amount of 25% of the value of the improvements accepted. The bond shall run for a term of two years commencing with the date of adoption of this resolution,

and

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein, and

BE IT FURTHER

RESOLVED, that should the conditions enumerated herein not be met within the stated 45 day period, the Building Inspector and the Town Clerk are directed to suspend the acceptance of any building permit applications for

construction for construction within this subdivision, or subdivision phase,
as the case may be.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 10320 to Claim No. 10611 Inclusive

Total amount hereby authorized to be paid:

\$1,125,649.85

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, the Town has previously provided recreational services
through its Recreation Department, and

WHEREAS, the services of the Recreation Department encompass both
parks and recreation, and

WHEREAS, the Town Board feels the name of the department should more
accurately reflect the services it provides;

NOW, THEREFORE, BE IT

RESOLVED, that henceforth the Recreation Department shall be known
as the "Parks and Recreation Department".

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.Prks.Rec.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK TO WIT:

WHEREAS, the Building Inspector has notified the Supervisor of his department's need for a temporary employee during the peak building season of 1994, and

WHEREAS, the Assessor has need for a temporary employee during preparation of the final tax roll for 1994, and

WHEREAS, the Building Inspector and Assessor have agreed to coordinate their seasonal time employment so as to reduce or eliminate the potential unemployment exposure to the Town,

NOW, THEREFORE, BE IT

RESOLVED, that Jean M. Conklin, 77 Harvey Drive, Lancaster, New York be and is hereby confirmed as a seasonal temporary employee of the Town Building Inspector and Assessor Departments and transferred from her part-time position in the Town Attorney's Office as follows:

Assessor from January 18, 1994 through May 18, 1994 at \$10.00 per hour.

Building Inspector from May 19, 1994 through November 18, 1994 at \$10.00 per hour.

Assessor from November 19, 1994 through December 31, 1994 at \$10.00 per hour.

and,

BE IT FURTHER

RESOLVED, that based upon this interdepartmental agreement between the Building Inspector and Assessor, full regular employee benefits are hereby extended to said JEAN M. CONKLIN, including eligibility for vacation or sick benefits in accordance with the Personnel Rules of the Town of Lancaster as previously adopted, and

BE IT FURTHER

RESOLVED, that the present part-time employee in the Assessor's Office, Adrienne Graber, be and is hereby transferred to the Town

Attorney's Office at her same rate of pay, effective January 18, 1994.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

PREFILED RESOLUTION NO. 20 - MEETING OF 1/18/94

Pokorski/_____ Authorize State Aid Appliation New York State
Education Department State Archives And Records
Administration For Records Gant For Microfilming Of
Town Records

At the request of Councilman Pokorski this resolution was withdrawn
as it was a dupliate of Resolution No. 10.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER VAN NORTWICK, WHO
MOVED ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

WHEREAS, the Town Board has been approached by Funnell Industries, Inc. and Virginia Bio-Fuel Corporation of Richmond, Virginia, who wish to establish a waste-to-energy plant in the Town of Lancaster, and

WHEREAS, the building of such a plant would save the Town of Lancaster a large sum of money (at least a couple hundred thousand dollars) while also bringing in additional monies to the Town, and

WHEREAS, the Town Board feels it is imperative to physically view the operation of this facility,

NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Greco, Council Members Pokorski and Giza and Town Engineer Robert Labenski be and are hereby authorized to travel to Richmond, Virginia on January 25-26, 1994 to conduct an on-site review of Funnell Industries and their anaerobic co-composting facility, and

BE IT FURTHER

RESOLVED, that said trip will be charged to the Town's Special Districts Fund.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER VAN NORTWICK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER POKORSKI , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

NO.	CODE	NAME	ADDRESS	STRUCTURE
1485	(T)	Bruke Bros. Const.	23 Rue Madeleine Way	ER. SIN. DWLG
1486	(T)	Sunshine Builders	14 Rue Madeleine Way	ER. SIN. DWLG
1487	(T)	Sunshine Builders	20 Quail Run	ER. SIN. DWLG
1488		Apple Rubber Products	204 Cemetery Rd	EXT. WAREHOUSE
1489	(T)	Forbes Homes	12 Hampton Ct	ER. SIN. DWLG
1490	(T)	Marrano/Marc Equity	60 Stony Brook Dr	ER. SIN. DWLG
1491	(T)	Marrano/Marc Equity	27 Old Post Rd	ER. SIN. DWLG
1492	(T)	Marrano/Marc Equity	58 Old Post Rd	ER. SIN. DWLG
1493	(T)	Marrano/Marc Equity	19 Stony Brook Dr	ER. SIN. DWLG
1494		Lancaster Shoe Repair	4779 Transit Rd	ER. SIGN
1495	(T)	Forbes Homes	62 Rehm Rd	ER. SIN. DWLG
1496	(T)	Burke Brothers Const.	17 Sagebrush La	ER. SIN. DWLG
1497	(T)	Burke Brothers Const.	9 Hampton Ct	ER. SIN. DWLG
1498	(T)	Sunrise Builders, Inc.	22 Quail Run Ln	ER. SIN. DWLG
1499	(T)	Forbes Homes	27 Quail Run Ln	ER. SIN. DWLG
1500	(T)	Nigro Construction	15 Hampton Ct	ER. SIN. DWLG
1501	(T)	Forbes Homes	17 Hill Valley	ER. SIN. DWLG

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

File: R.BLDG (P12)

Council Member Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, the New York State Division For Youth has awarded the County of Erie a grant for the period September 8, 1993 to September 7, 1994, in the amount of \$44,000.00 to fund six (6) municipalities, which includes the Town of Lancaster, to operate Youth Volunteer programs through the municipal youth bureaus, and

WHEREAS, the County of Erie has authorized the County Executive to enter into a contract with the Town of Lancaster for the amount of \$7,333.00, and

WHEREAS, the Town Board desires to enter into a contract with the County of Erie for the amount of \$7,333.00;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. That LUCIAN J. GRECO, Supervisor of the Town of Lancaster is authorized to enter into a contract with the County of Erie in the amount of \$7,333.00 to continue a Youth Volunteer Program through the Town of Lancaster Youth Bureau, which will be administered by the Erie County Department of Youth Services, and

2. That a certified copy of this resolution be forwarded to the Erie County Department of Youth Services, together with a duly executed contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

January 18, 1994

Council Member VanNortwick requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY
BY COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing New 1994 Police Patrol Vehicles and a 1994 4-wheel drive vehicle in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on January 14, 1994, and

WHEREAS, DE LACY FORD, INC., 5229 Broadway, Lancaster, New York 14086, has submitted the lowest responsible bid, per unit, for four (4) "Type A" vehicles, for a total amount of \$58,636.00 and two (2) "Type B" vehicles for a total amount of \$28,978.00, and

WHEREAS, NORTH TOWN DODGE, 2020 Niagara Falls Boulevard, Tonawanda, New York 14150, has submitted the lowest responsible bid for one (1) 1994 Jeep 4-wheel drive vehicle in the amount of \$20,381.00, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the before mentioned Four (4) "Type A" 1994 Police Patrol Vehicles pursuant to specifications on file in the Town Clerk's office, at a cost of \$14,659.00 per unit, and two (2) "Type B" Police Patrol Vehicles pursuant to specifications on file in the Town Clerk's Office, at a cost of \$14,489.00 per unit, less the trade-in allowances totaling \$13,626.00 on one (1) 1989 Dodge, one (1) 1988 Dodge, one (1) 1992 and one, (1) 1993 Chevrolet for a total net bid with trade in the amount of \$73,988.00 from DeLacy Ford, Inc., and

WHEREAS, the Chief of Police of the Town of Lancaster has further recommended the purchase of one (1) 1994 Jeep 4-wheel drive vehicle, pursuant to specifications on file in the Town Clerk's Office, at a price of \$20,381.00, less the trade-in allowance of \$500.00 on one (1) 1985 Dodge Suburban, for a total net bid with trade in the amount of \$19,881.00, from Northtown Dodge;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the bid of DeLacy Ford, Inc., 5229 Broadway, Lancaster, New York 14086, for four (4) "Type A" 1994 Police Patrol Vehicles pursuant to Specifications on file in the Town Clerk's office, at a cost of \$14,659.00 per unit for four (4) New 1994 Police Patrol Vehicles, and two (2) "Type B" Police Patrol Vehicles pursuant to said specifications, at a cost of \$14,489.00 per unit, less a trade-in allowance for the following police vehicles:

a.	One (1) 1989 Dodge 4DSD VIN 1B3XM26S4KW322388	\$ 1,074.00
b.	One (1) 1988 Dodge 4DSD VIN 1B3BG26S3JW164657	1,074.00
c.	One (1) 1992 Chevr 4DSD VIN 1G1BL53E7NW134859	5,739.00
d.	One (1) 1992 Chevr 4DSD VIN 1G1BL53E7NW134733	5,739.00
Total Trade-in		\$13,626.00

for a total net bid, with trade, in the amount of \$73,988.00 be and the same is hereby accepted and that an order for such automobiles is hereby authorized to be placed by the Chief of Police, and

2. That the bid of Northtown Dodge, 2020 Niagara Falls Boulevard, Tonawanda, New York 14150, for one (1) 1994 Jeep 4-Wheel Drive vehicle pursuant to specifications on file in the Town Clerk's office, at a cost of \$20,381.00, less the trade-in allowance of \$500.00 on one (1) 1985 Dodge Suburban VIN 1B4HW12T7FS539692, for a total net bid with trade in the amount of \$19,881.00, be and the same is hereby accepted and that an order for such vehicle is hereby authorized to be placed by the Chief of Police.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED	YES
COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER POKORSKI	VOTED	YES
COUNCIL MEMBER VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

January 18, 1994

Council Member Pokorski requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI , WHO MOVED
ITS ADOPTION , SECONDED BY SUPERVISOR
GRECO , TO WIT:

WHEREAS, the Town Board has determined that it would be in the best interest of the Town to investigate, using a Special Counsel, the relationship between David and Cathy Hawk, owners of record of 255 Peppermint Road, and Robert L. Laney, Town of Lancaster Building Inspector, as it relates to the purchase, renovation and use of said property, and

WHEREAS, the Town Board has determined that it would be in the best interests of the Town to investigate, using a Special Counsel, said Building Inspector's time/work records for the Town and his time/work records for outside employers, together with said Building Inspector's vacation record;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. NICHOLAS J. SARGENT, Attorney at Law, 1300 Key Tower, 50 Fountain Plaza, Buffalo, New York, is hereby appointed Special Counsel to investigate, on behalf of the Town of Lancaster, the following matters, and shall thereafter take whatever action he deems appropriate as is permitted by law:

- A. The relationship between David and Cathy Hawk, owners of record of 255 Peppermint Road, and Robert L. Laney, Town of Lancaster Building Inspector, as it relates to the purchase, renovation and use of said property;
- B. The Building Inspector's time/work records for the Town and his time/work records for outside employers; and
- C. The Building Inspector's vacation record.

2. Nicholas J. Sargent shall be compensated at the rate of \$75.00 per hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED	YES
COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER POKORSKI	VOTED	YES
COUNCIL MEMBER VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

January 18, 1994

STATUS REPORT ON UNFINISHED BUSINESS:Public Improvement Permit Authorization - The Crossings Subdivision,
(Giallanza) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I
(Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase I (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway Grading	Yes	No	No	No	n/a
Street Lights	Yes	Yes 1/18/94	No	n/a	No

Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase II (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway (S. Br.)	Yes	No	No	No	n/a
Street Lights	Yes	Yes 1/18/94	No	n/a	No

Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase III (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	Yes 1/18/94	No	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Glen Hollow, Phase I (Josela)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Sidewalks	No	n/a	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Grafton Park Subdivision (Donato Developers) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Hidden Hollow Subdivision, (Paul M. Dombrowski)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes 10/21/91	Yes	No	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Hillview Estates Subdivision, Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 12/16/91	Yes	n/a	NB-2-
Pavement and Curbs	Yes	Yes 12/16/91	Yes	NB-1-	NB-2-
Storm Sewers	Yes	Yes 12/16/91	Yes	n/a	NB-2-
Detention Basin	Yes	No	No	No	NB-2-
Street Lights	Yes	Yes 2/22/93	Yes	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- Filed but not yet returned.

NB-2- Town Attorney has Bill of Sale.

Public Improvement Permit Authorization - Hillview Estates Subdivision, Phase II (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 9/08/92	Yes	n/a	Yes
Pavement and Curbs	Yes	Yes 9/08/92	Yes	NB-1-	Yes
Storm Sewers	Yes	Yes 9/08/92	Yes	n/a	Yes
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- 12/1/92- Deed filed. Awaiting return from County Clerk

Improvement Permit Authorization - Hunters Creek Subdivision, Phase I (Burke Bros. Construction) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Storm Sewers	Yes	Yes 8/02/93	Yes	n/a	No

Public Improvement Permit Authorization - Hunters Creek Subdivision, Phase II (Burke Bros. Construction)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 8/02/93	Yes	n/a	No
Pavement and Curbs	Yes	Yes 8/02/93	Yes	No	No
Storm Sewers	Yes	Yes 8/02/93	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Hunters Creek Subdivision, Phase III
(Burke Bros. Construction)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 12/6/93	Yes	n/a	No
Pavement and Curbs	Yes	Yes 12/6/93	Yes	No	No
Storm Sewers	Yes	Yes 12/6/93	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Indian Pine Village Subdivision, Phase I (Fischione Const., Inc.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

Public Improvement Permit Authorization - Indian Pine Village Subdivision, Phase II (Fischione Construction) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Lake Forest South Subdivision (Mark Ogian)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 12/07/92	Yes	n/a	No
Pavement and Curbs	Yes	Yes 12/07/92	Yes	Yes	No
Storm Sewers	Yes	Yes 12/07/92	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	Yes	Yes 9/20/93	Yes	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Larkspur Acres Subdivision, (Andrusz & Schmid Dev.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Liberty Square Subdivision (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Meadowlands Subdivision (Bosse)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes 9/05/89	Yes	***	Yes
Detention Basin	Yes	No	No	No	n/a

*** Deed received but not yet recorded.

Public Improvement Permit Authorization - Pine Tree Farm, Phase II (Josela - East off Aurora Street)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes 4/17/89	Yes	No	Yes

Public Improvement Permit Authorization - Quail Run Subdivision, Phase I (Ciminelli Development Co.)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Southpoint Subdivision, Phase I (Josela)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
E. Detention Pond	Yes	No	No	No	n/a
W. Detention Pond	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Stony Brook, Phase I (Marrano)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement & Curbs	Yes	Yes 12/17/90	Yes	***	Yes
Detention Area 1	Yes	No	No	No	n/a
Detention Area 2	Yes	No	No	No	n/a

*** Deed received but not yet filed.

Public Improvement Permit Authorization - Stony Brook, Phase II (Marrano)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Area	Yes	No	No	No	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Stony Brook, Phase III(A) (Marrano)
Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Pond	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Stony Brook, Phase III(B) (Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Stony Brook, Phase IV(A) (Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Stony Brook South (George Stephen)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	No	No	No	n/a	No
Pavement and Curbs	No	No	No	No	No
Storm Sewers	No	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Townview Apartments (Belmont Shelter)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	No	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Public Improvement Permit Authorization - Thruway Industrial Park (P & R Casilio Enterprises)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

Public Improvement Permit Authorization - Walden Trace Subdivision (Josela/Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	No	No	No	n/a	No
Pavement and Curbs	No	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No

Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	No	No	n/a	No

Public Improvement Permit Authorization - Willow Ridge Subdivision (Cinato Bros.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

Public Improvement Permit Authorization - Windsor Ridge Subdivision, Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes 9/7/93	Yes	n/a	No
Pavement and Curbs	Yes	Yes 9/7/93	No	No	No
Storm Sewers	Yes	Yes 9/7/93	Yes	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No

Public Improvement Permit Authorization - Woodgate Subdivision, Phase I (Josela Enterprises) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Subdivision Approval - Autumn Park (N/William - W/Bowen)

On October 25, 1993, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On November 3, 1993, the Planning Board approved a sketch plan for this development.

Subdivision Approval - Bowen Road Square (Off Bowen Road)

On August 30, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990 the Planning Board approved the preliminary plat for this development subject to three conditions. On January 22, 1991 the Municipal Review Committee tabled their SEQR Review decision pending receipt of additional data from the petitioner. On March 29, 1993 the Municipal Review Committee adopted a Negative SEQR Declaration for this project.

Subdivision Approval - Cross Creek (Off Pleasant View Drive)

On November 5, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On November 18, 1992 the Planning Board approved the sketch plan for this subdivision. On March 29, 1993 the Municipal Review Committee adopted a Negative SEQR Declaration for this project. On September 16, 1993 an application for preliminary plat approval was filed with the Town Clerk along with a check for \$760.00 and referred to the Building Inspector for distribution to various reviewers. On October 6, 1993 the Planning Board approved the preliminary plat plan for this subdivision with two changes that must be incorporated into the final plat plan submittal.

Subdivision Approval - East Brook Estates (Off Bowen Road)

This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.

Subdivision Approval - Fairway Hills (Off William Street)

On November 19, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On January 6, 1993 the Planning Board conditionally approved the sketch plan for this subdivision. On January 6, 1993 the Municipal Review Committee adopted a Positive SEQR Declaration on this matter. On January 20, 1993 an informal scoping session was held on this project. On June 9, 1993 the Town Board held a Public Hearing on the Draft Environmental Impact Statement (DEIS) for this project. On August 9, 1993 the Building Inspector received and distributed a revised sketch plan to the Planning Board and various reviewers. On October 18, 1993 the Town Board accepted the Draft Environmental Impact Status (DEIS) dated July 1993, as supplemented and amended as the Final Environmental Impact Statement (FEIS).

Subdivision Approval - Fox Valley Estates, Phase I (Off Peppermint Road)

On November 22, 1991 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On January 25, 1993 the Building Inspector received and distributed a revised sketch plan to the Planning Board and other reviewers. On February 3, 1993 the Planning Board approved the sketch plan subject to three conditions. On February 12, 1993 an application for Preliminary Plat Plan approval was received with a review fee of \$820.00 and distributed by the Building Inspector to various reviewers. On March 3, 1993 the Planning Board approved the Preliminary Plat with two conditions. On March 15, 1993 the Town Board accepted the final Environmental Impact Statement dated February 9, 1993. On March 15, 1993 the Draft environmental Impact Statement (DEIS), dated February 9, 1993 as supplemented and amended, was adopted as the Final Environmental Impact Statement (FEIS). On April 4, 1993 the Town Board adopted Final SEQR findings for this project.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Subdivision Approval - Golfe Creek Town Homes (formerly Country Club Commons) (Townhouses - Off Broadway West of the Lancaster Country Club)

On July 9, 1990 the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On October 24, 1990 the Building Inspector transmitted an Application for Sketch Plan Approval to the Planning Board for review. On November 7, 1990 the Planning Board approved the sketch plan for this development. On November 21, 1990 the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1090.00. On November 28, 1990 the Planning Board approved the Preliminary Plat Plan. On February 1, 1991 the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On February 11, 1991 the Town Attorney notified the developer that the final plat was not sufficient. On June 17, 1991 the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On August 19, 1991 the Town Board approved a name change for this project to Golfe Creek Town Homes and authorized the filing of a map cover in the Erie County Clerk's office under that name. This item remains on the agenda until the map cover is filed.

Subdivision Approval - Michael's Landing (Off Lake Avenue)

On September 20, 1993, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On October 6, 1993 the Planning Board denied approval of the sketch plan. On October 25, 1993, an amended application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On November 3, 1993, the Planning Board approved a revised sketch plan for this development.

Subdivision Approval - Parkedge (Off William Street)

On October 18, 1989 the Planning Board approved the sketch plan for this project. On March 6, 1991 an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991 a \$1285.00 Subdivision Filing Fee was received by the Town Clerk. On May 6, 1991 the SEQR Municipal Review Committee adopted a negative declaration.

Subdivision Approval - Penora Street

On May 20, 1993 an application for subdivision preliminary plat plan approval was filed with the Building Inspector and distributed to various reviewers.

Subdivision Approval - Regents Park (S/S Genesee St. - W/Home Rd.)

On November 2, 1993, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On December 1, 1993 the Planning Board approved the sketch plan

Subdivision Approval - Scinta (4 lots Erie Street)

On July 31, 1992 the developer tendered to the Town Clerk an Application for Preliminary Plat Plan Approval along with a filing fee of \$400.00. On August 1, 1992 the Building Inspector distributed the Preliminary Plat Plan to various reviewers. On September 2, 1992 the Planning Board approved a preliminary plat plan for this subdivision. On November 2, 1992 a SEQR hearing was held on this matter and a Negative Declaration was adopted.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Subdivision Approval - Stony Brook, Phase IV (South Side of Pleasant View Drive)

On March 16, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On April 1, 1992 the Planning Board approved the sketch plan. On October 21, 1992 the Planning Board gave conditional approval to this preliminary plat plan. On July 6, 1993, the Town Board authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on the agenda until the map cover is filed. On December 15, 1993, the owner called the Town Clerk and informed him that a map cover was filed on August 6, 1993 under Map Cover No. 2633.

Subdivision Approval - Stony Brook South (North of Walden Avenue)

On April 27, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On May 5, 1993 the Planning Board approved a sketch plan for this subdivision. On June 25, 1993, an application for preliminary plat approval was filed with the Town Clerk along with a check for \$400.00 and referred to the Building Inspector for distribution to various reviewers. On June 25, 1993, the Building Inspector distributed the preliminary plat to various reviewers. On November 15, 1993, the Town Board authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on the agenda until the map cover is filed.

Subdivision Approval - Stream Field (East of Tops Plaza)

On February 3, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On March 17, 1993 the Planning Board approved the sketch plan. On March 29, 1993, the Municipal Review Committee adopted a SEQR Negative Declaration for this project.

Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)

On October 4, 1989 the Planning Board approved the site plan for this subdivision. On October 13, 1989 the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990 the Town Board adopted a SEQR Negative Declaration on this matter. On September 20, 1993, the Building Inspector received and distributed a revised plat plan to the Town Attorney, Town Clerk, Engineer and Highway Superintendent.

Subdivision Approval - Valley Overlook (S/Genesee Street and W/Ransom Road) (Pittsford-Mendon Corp.)

On September 22, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On October 6, 1993 the Planning Board denied approval of the sketch plan and directed the developer to submit a new revised sketch plan which would address three of their concerns. On November 19, 1993, an amended sketch plan was filed with the Building Inspector and distributed to various reviewers. On December 1, 1993 the Planning Board approved the revised sketch plan.

Subdivision Approval - Village on the Park (N/E Corner Lake and William)

On January 27, 1993 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On February 17, 1993 the Planning Board approved the sketch plan. On March 29, 1993 the Municipal Review Committee adopted a SEQR Negative Declaration for this project.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)Subdivision Approval - Walnut Creek (Off Aurora Street)

On April 28, 1992 an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On July 15, 1992 the Municipal Review Committee adopted a SEQR Negative Declaration for this project. On October 10, 1992 an Application for Preliminary Plat Approval was filed with the Town Clerk along with a check for \$1930.00 and referred to the Building Inspector for distribution to various reviewers. On November 4, 1992 the Planning Board approved the preliminary plat plan for this subdivision. On May 19, 1993 the Planning Board approved a revised preliminary plat plan for this subdivision. On November 15, 1993, the Town Board authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on the agenda until the map cover is filed.

Subdivision Approval - Windsor Ridge, Phase II (Off Lake Avenue)

On November 22, 1993, an application for preliminary plat approval was filed with the Town Clerk along with a check for \$940.00. On November 22, 1993, the Building Inspector distributed the preliminary plat plan to various reviewers. On December 1, 1993 the Planning Board approved the Preliminary Plat.

COMMUNICATIONSDISPOSITION

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| 13. Building Inspector to Town Board -
Notice of request by Village Building Inspector
to have Town assist in inspections re: addition
to North End Fire Station. | R & F |
| 14. Village of Lancaster Code Enforcement Officer to
Assessor -
Request creation of listing re: tax toll
information for use by Village of Lancaster. | R & F |
| 15. Village of Lancaster Code Enforcement Officer to
Assessor -
Request being informed by Assessor's Office of
changes to property classes in Village. | R & F |
| 16. Association of Towns to Town Clerk -
Material re: annual meeting. | R & F |
| 17. Town Clerk to Zoning Board Members, Building
Inspector and Town Attorney -
Transmittal of variance petitions for meeting
to be held 1/13/94. | R & F |
| 18. NYSDEC to Lovejoy Builders -
Determination of no joint application for
permit jurisdiction re: Michael's Landing
Subdivision. | PLANNING COMMITTEE
TOWN ATTORNEY
TOWN ENGINEER |
| 19. Town Line V.F.D. to Town Board -
List of officers for 1994. | R & F |
| 20. Chairman Town of Lancaster Service Awards
Program to New York Life Insurance Company -
Requesting written confirmation to adjustments
to Annual Report from R. Schmidt & Associates. | R & F |
| 21. Youth Bureau Director to Supervisor -
Requesting increase in salary for Youth
Volunteer Program Coordinator. | SUPERVISOR |
| 22. Town Clerk to Supervisor -
Transmittal of monthly report of December 1993. | R & F |
| 23. ECDEP to Town Attorney -
Results of SEQOR Referral Review for Lead Agency
Designation for Regents Park Subdivision. | PLANNING COMMITTEE |
| 24. ECDEP to Town Attorney -
Results of SEQOR Referral Review for Lead Agency
Designation for Windsor Ridge Subdivision. | PLANNING COMMITTEE |
| 25. NYSDEC to Town Attorney -
Environmental concerns re: Regents Park
Subdivision. | PLANNING COMMITTEE |
| 26. Duplicate of 23. | R & F |
| 27. Duplicate of 24. | R & F |
| 28. Town Clerk to Town Board -
Annual report for 1993. | R & F |
| 29. State Insurance Fund to Town Clerk -
Transmittal of "Workers Compensation Premium
Credit Application". | INSURANCE CONSULTANT
BOB DUPLICKI |
| 30. Assessor to Town Board -
Report on 1994 IDA "In Lieu Of" Town tax bills. | R & F |
| 31. Depew-Lancaster Boys & Girls Club Ex. Dir. to
Town Board -
Letter of appreciation to Board and taxpayers
for support of programs. | R & F |

COMMUNICATIONSDISPOSITION

- | | |
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| 32. NYS Insurance Dept. to Supervisor -
Transmittal of information for additions or
corrections re: Lancaster Town fire Protection
District. | R & F |
| 33. State Education Dept. to Lancaster School District
Clerk -
Notice of Determination - Negative Declaration
re: new construction of Middle School. | R & F |
| 34. NYSDEC to Supervisor -
Results of review of information re: Holy
Mother of the Rosary site plan. | TOWN ATTORNEY
PLANNING COMMITTEE |
| 35. Twin District Vol. Fire Co., Inc. to Town Clerk -
Addition of new member to active roster. | R & F |
| 36. Twin District Vol. Fire Co., Inc. to Town Clerk -
List of new Officers for 1994. | R & F |
| 37. LVAC to Town Board -
List of inactive members to be removed from
files. | R & F |
| 38. NYSDOL to Town Clerk -
Update of guidelines Occupational Exposure
to Tuberculosis. | DISASTER PREP. DIRECTOR
GEORGE MAC PEEK |
| 39. Disaster Response Coordinator to Supervisor -
Spill report for 1/10/94, (Walden Ave.). | R & F |
| 40. NYSED to District Clerk, Lancaster Central School
District -
SEQR Negative Declaration re. Aurora Middle
School, Control No. 14-19-01-06-0-002-007. | R & F |
| 41. Mahoney, Berg & Sargent -
Appointment of Charles Leonard as mediator
for White Collar Unit, PERB Case No. M93-436. | R & F |
| 42. Bissell, Stone Associates to Supervisor -
Reply to two letters relative to SEQR Review,
Michael's Landing Subdivision, Lake Avenue. | TOWN ENGINEER
PLANNING COMMITTEE
TOWN CLERK |
| 43. LVAC to Town Board -
Addition of new members to active roster. | TOWN ATTORNEY
R & F |
| 44. Planning Board to Town Board -
Recommendation of approval for Children's
Kastle, corner Walden Ave. and Stonehedge Dr. | R & F |
| 45. Planning Board to Town Board -
Recommendation of approval for addition to
Apple Rubber Products. | R & F |
| 46. Planning Board to Town Board -
Minutes for meeting January 5, 1994. | R & F |
| 47. Town residents to Town Board -
Submittal of petition against proposed
rezone of land adjacent to Country Place. | PLANNING COMMITTEE
TOWN ENGINEER
TOWN ATTORNEY |
| 48. Donald Gallo, CEPC to Supervisor -
Proposal for services for continued development
of Walden Pond Park, Phase 2C Improvements. | R & F |
| 49. Building Inspector to Town Board -
Requests appointing part-time person for
Building and Zoning Dept. | R & F |
| 50. Town Engineer to Town Board -
Recommendation for re-bid of sidewalk bids for
Como Park Blvd. and Penora Street. | R & F |

COMMUNICATIONS, CONT'D.:

Page 126
DISPOSITION

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|---|--|
| 51. Town Engineer to Town Board -
Recommends acceptance of P.I.P. Nos. 163, 223,
and 239 in Foreststream Sub, Phases I, II and III | <u>R & F</u> |
| 52. ECDEP to Supervisor -
Transmittal of letter from NYSDEC offering
comments concerning the Erie County Sewer Dist.
No. 4 Network Analysis Report. | <u>TOWN ENGINEER</u>
<u>R & F</u> |
| 53. Lancaster-Depew Leagues to Town Board, Supervisor
and Council Member Kwak -
Expression of appreciation and gratitude for
Town's commitment to construct five diamond
little league complex. | <u>R & F</u> |

PERSONS ADDRESSING TOWN BOARD:

Guenther, James, 562 Pavement Road, spoke to the Town Board on the following matters:

1. Liability of the Highway Superintendent for entering upon private property to correct drainage affecting highways.
2. Clarification on which position was abolished in the recreation department at the January 3, 1994 Town Board meeting.
3. Purpose of travel authority granted to Town Board members to visit the Funnell Industries plant in Richmond Virginia.

Juszcak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

1. The Town Clerk's decision to no longer act as coordinating person for all Town record access requests.

Wehner, Michael, 35 Garfield Street, spoke to the Town Board on the following matters:

1. Name change of Lancaster Recreation Dept. to Parks & Recreation Dept.
2. Criteria for converting compensatory time to actual dollar compensation for non union employees.
3. Dog Control Officer's schedule.

ADJOURNMENT:

ON MOTION OF COUNCILMAN KWAK, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 9:25 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk